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UNITED STATES DISTRICT COURT NORTHERN
DISTRICT OF ILL. EASTERN DIVISION

PRINCIPAL BENEFICIAL OWNER AND CERTIFICATES
(UNIT) HOLDER OF THE DERIEON THOMAS, CESTUI QUE
(VIE) TRUST.

NON- DERIEON THOMAS
DOMESTIC (ATTORNEY IN FACT)

V.

TOM DART, et al
(OFFENDER)

FILED

JB APR 03 2023

THOMAS G. BRITON
CLERK, U.S. DISTRICT COURT

Case # 1:22-cv-02026

Taxable business transaction
Pursuant to the Rules of
Commerce

Judge - Steven C. Seeger

Under the Penalty
of Perjury.

Affidavit of facts: Response to offender "motion to dis-
miss for Failure to state a claim."

(Exhibit A)

While being housed in Cook County Department of Correction, individuals in custody are entitled to have basic rights. Some of those rights are, working plumbing/ properly running water, food, protection and etc. While the attorney in fact (DERLEON THOMAS) was being held in C.C.D.O.C Segregation (Hole) he was denied one of his basic rights (Plumbing/ properly running water). On February 27, 2022 the attorney in fact was housed in Division 9 Cell 1088, with water that did not work properly. The attorney in fact notified Lieutenant Phillips, that the water in the cell did not work. Lt Phillips let the attorney in fact know that she was going to put a "work order" in to fix the sink. Typically it take up to 3 to 5 business days to come and complete a work order. The plumber came multiple times during the attorney in fact stay in Seg. to try and fix the sink. The plumber could not fix the sink properly, Seeing that the sink could not be fix the attorney in fact asked Sergeant Surane can he be move to a cell with properly running water. Sgt. Surane stated to the attorney in fact "Since your toilet works you don't have to be move." While in his cell the attorney in fact asked Correctional officers can he come out to get a drink or water. The Correctional officers denied the attorney in fact and stated "You only come out your cell for day room time." While being housed in Seg a individual in custody can only come out the cell once a day, to take a shower, use the phone, watch t.v, or in my case drink water. Most officers

Stated to the attorney in fact "That's what happen to people who come to the hole." The attorney in fact stay in Segregation lasted for 14 days. From february 27, 2022 untill march 13, 2022. Let it be noted on march 4, 2022, march 5, 2022, and march 10, 2022 C.O (Correctional officer) Guzman and C.O Roman filled plastic from the attorney in fact food trays with water from the dayroom drinking fountain to give to the attorney in fact while he's in the cell. Which is unsanitary, inhumane and cruel to any individuals in custody. Let it also be noted that C.O Guzman and C.O Roman were the only Correctional Officers who attempted to help the attorney in fact drink water while being in the cell. The other Correctional Officers let the attorney in fact go without water untill the next day when it was time for the attorney in fact to come out for dayroom time. Which made the attorney in fact feel dehydrated. While being housed in those living condition the attorney in fact needed to speak with a mental health expert, the attorney in fact had psychological problems which made him feel hopeless, emotionally distraught and torn. At one point in time the attorney in fact stated to the mental health expert "I feel like a slave because I have to ask for water to drink." Clearly the attorney in fact rights have be violated and stated this claim in the beginning. The attorney in fact respectfully ask the courts to deny the offender Motion to dismiss for failure to state a claim.

(Exhibit A1)

LEGAL NOTICE AND AFFIDAVIT

(FIAT JUSTITIA, RUAT COELUM)

"Let right be done, though the heavens shall fall."

("Me exercising my Constitutional rights being freedom of Speech and Religion.")

Notice the (attorney in fact) is not a trained bar attorney or lawyer and has not been to law school this action should have defects, but the (attorney in fact) is a functional illiterate in the law and does not speak the legalese of the Courts, the (attorney in fact) has to rely on law dictionaries, Court Cases, legislative enactments and his assistance of counsel which is legal consultant, otherwise it would be impossible for the (attorney in fact) to file any actions with the Court that would not be defective in some way, as the law and rules are written for trained bar attorneys why else would all words in laws and codes be written in legalese. Even the federal Courts recognize that untrained litigants actions (pleadings) are to be construed liberally and held to less stringent standards than formal pleadings drafted by lawyers or attorneys in other words we only have access to certain material therefore we also being in these evident captive States must work with what we are

provided. see *Spencer v. Doe*, 139 f3d 107
 (2nd Cir. 1998); *Green v. Branson*, 108 f3d
 1296 (10th Cir 1997); *Boag v. MacDougall*, 454
 US 364, 70 LEd 2d 102, 501 So.2d 700 (1982);
Haines v. Kerner, 404 US 519, 30 L. Ed 2d
 652, 92 Sct 594 (1972). with this being
 said, The right to address the federal
 or state government is a fundamental
 rights, that goes all the way back to the
 common-law era, the magna Carta, original
 book of the law (THE BIBLE). Law has no
 bearings on what happens at court proceedings
 a bar attorney can only represent the
 slave (debtor) court proceeds are administrative
 and not judicial both criminal and civil.

(EXHIBIT)

CERTIFICATE OF SERVICE

I Derieon Thomas, hereby Certify that on Monday, March 20, 2023 a true and correct Copy of the foregoing document entitled; AFFIDAVIT OF FACT; Responce to Offender "Motion to dismiss for failure to State a Claim." Regarding Case No. 1:22-CV-02026 Point and Authorises in Support thereof.

NOTICE to Clerk and Recorder; Pursuant to title 18 U.S.C, chapter 707 2071 (B) who ever, having the Custody of any such record, proceeding, map, book, document, paper or other things, willfully and unlawfully Conceals, removes, mutilates, Obliterates, falsifies or destroys the same, shall be fined under this title or imprisoned not more than (three) years, or both. And shall forfeit his offices, and be disqualified from holding any office under the United States."

Honourable Submitted



03/20/2023

Derieon Thomas

Authorized Representative of DERIEON THOMAS, Trust

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Chicago IL 60608

RECEIVED

APR 03 2023

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

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29 MAR 2023 PM 7 L



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Clerk of the U.S District Court
United States Courthouse

219 South Dearborn Street

Chicago IL 60604